



Mr Peter Duncan AM
Acting Chair
Independent Planning Commission
GPO Box 3415
SYDNEY NSW 2001

Vickery Extension Project (SSD 7480)

Dear Mr Duncan

The Department has completed its assessment of the merits of the Vickery Extension Project (SSD 7480). The application is referred to the Independent Planning Commission for determination as there were more than 50 unique public objections to the proposal.

The Minister for Planning and Public Spaces has also requested the Commission to hold a further public hearing into the carrying out of the and make a determination of the development application within 12 weeks of receiving the Department's assessment report, unless the Planning Secretary agrees otherwise.

Proposed Development

Vickery Coal Pty Ltd (a subsidiary of Whitehaven Coal) proposes to develop the Vickery Extension Project. The project is located approximately 25 kilometres north of Gunnedah, in the Gunnedah and Narrabri local government areas.

The application seeks to extend the approved Vickery Coal Mine (SSD 5000) and develop a new coal handling and preparation plant (CHPP) and rail spur line to connect the main railway line for transport of coal to the Port of Newcastle, which would enable the cessation of road transport of coal to the Gunnedah CHPP.

Engagement

The Department exhibited the application from 13 September to 25 October 2018 and received 560 submissions, including 345 in support of the project and 201 objections from members of the public and special interest groups. Following exhibition, the Department prepared a Preliminary Issues Report which was referred to the Commission to undertake a public hearing into the carrying out of the project. The Commission referred its Issues Report to the Department in April 2019.

Amended Application

In September 2019, Vickery Coal submitted an Amendment Report which sought to amend its project application to remove coal extraction from Mining Lease (ML) 1716, where the lease only permitted ancillary uses. Under Clause 55 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), an applicant may amend a development application at any time before the application is determined, but only with the agreement of the consent authority.

The Department has considered the additional information provided in the Amendment Report during its assessment and supports the proposed amendments. While the Department published the additional information on its website, it did not formally seek submissions as the proposed amendment would reduce the impacts of the project.

Consequently, the Department recommends that the Commission, as the consent authority, agree to the proposed amendment.

Assessment

The Department has focused its assessment on the key issues from the Commission's Issues Report which also reflects concerns raised in public submissions to the Commission and the Department during the exhibition period.

Key issues raised include impacts on water resources, amenity, biodiversity, heritage, traffic and transport, social and economic, visual amenity and consideration of rehabilitation, final void and final landform, project justification and the public interest.

The project would generate significant benefits to NSW and the region including employment for up to 450 FTE workers and 500 construction workers, a direct capital investment in the project of \$607 million, a net benefit of \$1.16 billion NPV from generation of additional tax revenue and royalties, and funding for local community projects and infrastructure for the Gunnedah and Narrabri LGA through planning agreements.

The Department has recommended a comprehensive and precautionary suite of conditions to protect the environment and the amenity of the local community, including conditions to ensure that the project complies with relevant criteria and standards, and residual impacts are effectively minimised, managed and/or at least compensate for.

Based on its assessment and subject to the recommended conditions of consent, the Department considers that the Project is approvable.

I have attached a copy of the Department's assessment report and recommended conditions of consent for the Commission's consideration.

If you have any questions or wish to arrange a briefing, please contact Steve O'Donoghue on 0477 345 626 or by email at stephen.odonoghue@planning.nsw.gov.au.

Yours sincerely



19/05/2020

Marcus Ray
Group Deputy Secretary
Planning and Assessment